

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2639

IN THE MATTER OF:

Served December 11, 1984

Application of ALFRED L. GAINES     )  
to Transfer Certificate No. 51 to    )  
Medico Transportation Services,     )  
Inc.                                     )

Case No. AP-84-43

By motion filed November 20, 1984, Alfred L. Gaines trading as Medico Transportation Service seeks to waive public hearing on his application to transfer Certificate of Public Convenience and Necessity No. 51 to Medico Transportation Services, Inc., and requests that the Commission decide this case based on the pleadings of record. The public hearing scheduled by Order No. 2623, served October 30, 1984, and incorporated herein by reference, has been cancelled pending our ruling on this motion. 1/

A review of the record in this case indicates that applicant duly notified the public of its pending application by publishing a notice in The Washington Times on November 5, 1984, and posting a similar notice in each of his vehicles. During the period established for the filing thereof, neither formal protests nor requests to be heard regarding Mr. Gaines' application were filed. In consideration of the absence of protests as well as the nature of this application, we shall base our decision on the pleadings of record. Consequently, applicant is relieved of the obligation to prepay estimated hearing costs in the amount of \$200 as previously directed. 2/ We turn now to a consideration of the merits of the proposed transfer.

This matter comes before us under Title II, Article XII, Section 4(h) of the Compact which requires that the proposed transfer be approved by the Commission if it is consistent with the public interest. The transferor, Mr. Gaines, is a sole proprietor, and the transferee is a corporation wholly owned by Mr. Gaines and wholly controlled by Mr. Gaines and his family. There is no indication that, should this application be granted, Mr. Gaines' corporation would not continue service in the same manner as it is currently provided. A review of the record in this case indicates that the financial position of the transferee is sound. Furthermore, evidence of the transferee's financial responsibility is on file with the Commission in the form of a certificate of insurance sufficient to satisfy our requirements.

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1/ See Order No. 2633, served November 28, 1984.

2/ See Order No. 2623, served October 30, 1984.

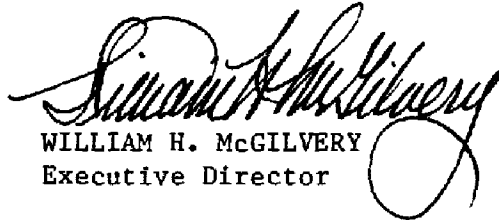


Taking official notice of our records, we note that no complaints have been made regarding the operations of either the transferor or transferee. Accordingly, we find that the requested transfer of Certificate of Public Convenience and Necessity No. 51 is consistent with the public interest, and, based upon the evidence of record, the application will be granted.

THEREFORE, IT IS ORDERED:

1. That applicant's motion to waive public hearing in this case is hereby granted.
2. That the application of Alfred L. Gaines trading as Medico Transportation Service to transfer Certificate of Public Convenience and Necessity No. 51 to Medico Transportation Services, Inc., is hereby granted.
3. That an appropriately revised Certificate of Public Convenience and Necessity No. 51 will be issued in the name of Medico Transportation Services, Inc.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS WORTHY, SCHIFTER AND SHANNON:

  
WILLIAM H. MCGILVERY  
Executive Director

